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## TO STATE OF OF A SOPERAL DESCRIPTION OF SALES OF F. W. HANNEL & ASSOCIATES

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June 4, 2003

**RECEIVED & INSPECTED** 

JUN 1 7 2003

FCC - MAILROOM

Marlene H. Dortch, Secretary **Federal Communications Commission** Portals II 445 12<sup>th</sup> Street SW Washington, DC 20554

Re:

Comments and Counterproposal

MM Docket 03-87

Pearsall, Dilley and Batesville, Texas

Dear Ms. Dortch,

Transmitted herein is an original and 5 copies of a filing styled "Supplemental Comments" to be filed in the above captioned proceeding on behalf of Batesville Broadcasting Company. MERCHANIST CAREFORD FOR

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Kindly file stamp one of the copies and return to this office in the enclosed self addressed stamped envelope.

Should there be any questions regarding the enclosed material, please contact this office.

Very truly yours,

7 W Hanse

F. W. Hannel, PE

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FCC - MAILROOM

## BEFORE THE FEDERAL COMMUNICATIONS COMMISSION WASHINGTON, D.C.

In the Matter of	}
	) MB Docket No. 03-87
Amendment of Section 73.202(b	b) )
Table of Allotments	)
FM Broadcast Stations	)
(Dilley, Pearsall and	)
Batesville, Texas <sup>1</sup> )	)

To: The Allocations Branch Policy and Rules Division Mass Media Bureau

## SUPPLEMENTAL COMMENTS

Now comes F. W. Hannel, dba Batesville Broadcasting Company, ("BBC"), pursuant to Sections 1.415 and 1.420 of the Commission's Rules and hereby files these Supplemental Comments in the above captioned proceeding to correct 2 minor clerical errors in a previously filed pleading styled "Comments and Counterproposal" filed on May 27, 2003.

The "Comments and Counterproposal" contained technical data that supported the assignment of FM Channel 228C3 to the community of Batesville, Texas as a first local service. In order to accommodate that proposal, it was proposed that FM Channel 291A be substituted for FM Channel 229A at Dilley, Texas and that the proposed assignment of FM Channel 289A at Cotulla, Texas be made with an amended set of allotment coordinates. In the filing of the counterproposal, Batesville Broadcasting Company did not include the proponents of the channels at Dilley and Cotulla, Texas on the service list and, in this filing, corrects that oversight.

Additionally, since the requested assignment of FM Channel 291A as a replacement channel for FM Channel 229A at Dilley, Texas may not receive an

<sup>&</sup>lt;sup>1</sup> Batesville, Texas has been added to the caption.

expression of interest from the proponent in that docket, this proponent expresses its intent to apply for FM Channel 291A if that channel is assigned to Dilley, Texas and if this proponent is awarded the Construction Permit, it will promptly construct the facility on FM Channel 291 at Dilley, Texas.

Acceptance of these Supplemental Comments do not prejudice any party to this proceeding and provides merely clerical corrections to the record in this proceeding and this proponent requests that these "Supplemental Comments" be accepted and included in the record in this proceeding.

The undersigned certifies, under penalty of perjury, that the statements made in these Supplemental Comments are true and correct to the best of the petitioners knowledge and are made in good faith.

WHEREFORE, in accordance with the above, Batesville Broadcasting Company respectfully requests that FM Channel 227C3 be assigned to Batesville, Texas and that the proposal of Pearsall RadioWorks, Ltd., seeking to delete the presently assigned FM Channel 237A at Pearsall, Texas and reassign that channel to Dilley, Texas as a third local service to that community, and to assign FM Channel 227A at Pearsall, Texas as a backfill replacement channel be denied.

June 4, 2003

Respectfully Submitted, Batesville Broadcasting Company

F. W. Hannel

7 W Hannel

Batesville Broadcasting Company 10733 East Butherus Drive Scottsdale, AZ 85255 (480) 585-7475

## **CERTIFICATE OF SERVICE**

I, Fred Hannel, do hereby certify that copies of the foregoing Supplemental have Comments and Counterproposal have been served by United States mail, postage prepaid this 4<sup>th</sup> day of June, 2003, upon the following:

\*Sharon McDonald Federal Communications Commission Mass Media Bureau Portals II, Room 3-A266 TW-A35 445 12th Street SW Third Floor Washington, D.C. 20024

Harry C. Martin, Esq Fletcher, Heald & Hildreth, PLC 1300 North 17<sup>th</sup> Street, 11<sup>th</sup> Floor Arlington, VA 22209 (Counsel for Pearsall RadioWorks, Ltd.) (Via certified, receipt requested, US Mail)

Jeraldine Anderson 1702 Cypress Drive Irving, TX 75061 (Proponent in MM Docket 01-200 and in MM Docket 01-267) (Via certified, receipt requested, US Mail)

Additionally, this affiant certifies that copies of its "Comments and Counterproposal" filed in this proceeding on May 27, 2003 have been served by United States Mail, postage prepaid, on this 4<sup>th</sup> day of June, 2003 upon the following:

Jeraldine Anderson 1702 Cypress Drive Irving, TX 75061 (Proponent in MM Docket 01-200 and in MM Docket 01-267

F. W. Hannel, PE

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<sup>\*</sup> By Hand Delivery